



Atty. Dkt. No. 016887-1045

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Shunsuke KATAHIRA  
Title: IMAGE FORMING DEVICE  
Appl. No.: 09/909,860  
Filing Date: 07/23/2001  
Examiner: Saeid EBRAHIMI DEHKORDY  
Art Unit: 2626

**LETTER  
(UNDER A GENERAL OBLIGATION OF CANDOR AND GOOD FAITH  
IN PRACTICE BEFORE THE OFFICE)**

MAIL STOP: BOX ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby respectfully requests that the Patent Office recalculate the Patent Term Adjustment. It is believed that the Patent Term Adjustment should be 953 days in stead of 954 days.

- The above-identified application was filed on July 23, 2001.
- The Notice to File Missing Parts was issued on September 4, 2001.
- Applicant timely filed the response to the Notice to File Missing Parts on November 5, 2001, within three months of the mailing date of the Notice to Filing Missing Parts.
- Fourteen months of the filing date of the subject application is September 23, 2002.
- The first PTO action was issued on May 4, 2005, which results in 954 PTO days.
- Applicant timely filed a response to the PTO action on August 4, 2005, within three months of the mailing date of the office action.

- Applicant filed a supplemental reply on August 5, which results in 1 Applicant Delay day.
- The PTO issued a Notice of Allowance on November 4, 2005, within four months of the filing date of the Applicants' response.

Therefore, total PTO days are 954 and total Applicant Delay day is 1, which results in patent term adjustment days of 953.

This letter is being filed consistent with the general obligation of candor and good faith in practice before the Office and pursuant to the PTO's response to Comment 43 of the Final Rule RIN 0651-AB06 published in the Federal Register, Vol. 65, No. 181, on September 18, 2000, which states as follows:

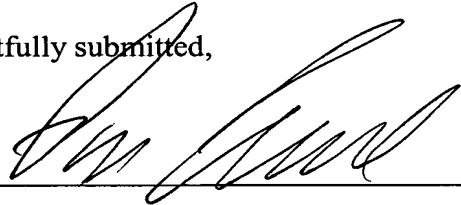
**"In order to comply with this duty and where the correct adjustment is thought to be less than indicated by the Office, an application for term adjustment under § 1.705(b) need not be filed. Instead, a letter could be filed with the issue fee payment, indicating that the term adjustment is thought to be longer than appropriate."**

Respectfully submitted,

Date

January 20, 2006

By



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